

OBLON, SPIVAK, McCLELLAND, MAIER &amp; NEUSTADT, P.C.

ATTORNEYS AT LAW

FOURTH FLOOR

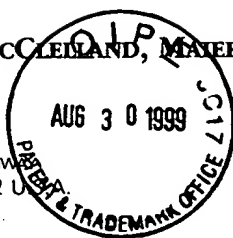
1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VIRGINIA 22202 U.S.A.

(703) 413-3000

(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

WWW.OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION

NORMAN F. OBLON  
MARVIN I. SPIVAK  
C. BRYN McCLELLAND  
GREGORY J. MAIER  
ARTHUR I. NEUSTADT  
RICHARD D. KELLY  
JAMES D. HAMILTON  
ECKHARD H. KUESTERS  
ROBERT T. FOKS  
DAVID J. KERA  
CHARLES L. GHOLZ  
VINCENT J. SUNDERDICK\*  
WILLIAM E. BEAUMONT  
ROBERT F. GNUSE  
JEAN-PAUL LAVALLEY, PH.D.  
JEFFREY H. KAUFMAN  
BRIAN D. ANDERSON  
ROBERTA S. BREN  
STEPHEN G. BAXTER, PH.D.  
ROBERT W. HAHN, PH.D.  
RICHARD L. TREANOR, PH.D.  
STEVEN P. WEHRROUCH  
JOHN T. GOUKASIAN\*  
RICHARD L. CHINN, PH.D.  
STEVEN E. UPMAN  
CARL E. SCHUER  
P. JAY HINES  
JAMES J. KULBASKI  
RICHARD A. NEIFELD, PH.D.  
J. DEREK MASON, PH.D.  
SURINDER SACHAR  
JONATHAN HUDIS  
CHRISTINA M. GADIANO  
JEFFREY B. MCINTYRE\*  
PAUL E. RAUCH, PH.D.  
WILLIAM T. ENOS\*  
MICHAEL E. MCCABE, JR.\*

GERALD J. MOSSINGHOFF

MILTON STERMAN  
SAMUEL H. BLECH\*  
JOHN O. TRESANSKY\*  
ALTON D. ROLLINS  
JAMES R. BOLER\*  
HARRIS A. PITLUCK\*  
RAYMOND F. CARDILLO, JR.  
JORDAN S. WEINSTEIN

MASAYASU MORI\*

FRANK J. WEST\*  
BRADLEY D. LYTLE  
KATHLEEN COONEY-PORTER\*  
ANDREW M. OLLIS  
MARGO LIVESAY, PH.D.\*  
MICHAEL A. GUILIANA\*  
CORWIN P. UMBACH, PH.D.  
W. TODD BAKER\*  
DAVID D'ZURILLA  
JOSEPH A. SCAFFETTA, JR.  
CARLOS R. VILLAMAR  
ROBERT C. MATTSOON  
MANDY M. PETROCELLI  
EDWIN D. GARLEPP  
FREDERICK D. VASTINE, PH.D.\*  
MICHAEL R. CASEY, PH.D.\*  
JOHN K. PIKE, PH.D.\*  
GEORGE F. LESMES\*  
JAMES J. KELLY, PH.D.\*  
DAVID A. BILODEAU\*  
STAMATIOS MYLONAKIS, PH.D.\*  
PHILIPPE J.C. SIGNORE, PH.D.\*  
KEVIN A. NORDBERG\*

\* BAR MEMBERSHIP OTHER  
THAN VIRGINIA  
† JAPANESE PATENT ATTORNEY  
\* REGISTERED PATENT AGENT

DOCKET NO: 0039-7268-2RD

ATTN: APPLICATION BRANCH

THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING PARTS OF APPLICATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Re: Inventor: Yoshiaki TAKABATAKE ET AL.  
Serial No.: 09/343,509  
Filed: June 30, 1999  
For: COMMUNICATION NODE AND  
COMMUNICATION TERMINAL

SIR:

Attached hereto for filing are the following papers:

• Notice to File Missing Parts  
• Filing of Declaration/Declaration

Our check in the amount of \$     .00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Marvin I. Spivak

Attorney of Record

Registration No. 24,913

Robert F. Gnuso

Registration Number 27,295



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/343,500 06/30/99 TAKASATAKE

Y 3869-7248-2R0

0232/0727

GELON SPIVAK MCCLELLAND  
MAYER & NEUSTADT PC  
FOURTH FLOOR  
1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON VA 22202

NOT ASSIGNED

2731

DATE MAILED:

07/27/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

DECL. Due 9-27-99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ \_\_\_\_\_.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

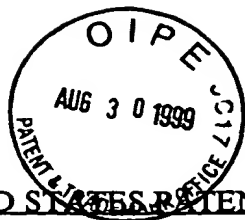
☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

Docket No. 0039-7268-2RD



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Yoshiaki TAKABATAKE ET AL.

ATTN: APPLICATION PROCESSING  
DIVISION

SERIAL NO.: 09/343,509

FILED: June 30, 1999

FOR: COMMUNICATION NODE AND  
COMMUNICATION TERMINAL

FILING OF DECLARATION UNDER 37 CFR 1.53(F)

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Responsive to the notification dated July 27, 1999, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P. C.

Marvin J. Spivak  
Attorney of Record  
Registration No. 24,913  
Robert F. Gnuse

Registration Number 27,295

Fourth Floor  
1755 Jefferson Davis Highway  
Arlington, Virginia, 22202  
(703) 413-3000/ Fax No. (703) 413-2220  
(OSMMN 1/97)  
MJS:ctp